APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,156	12/21/2000	Jari Macnpaa	367.39359x00	5543

20457	7590	02/07/2006

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-3873

EXAMINER
BAYAT, BRADLEY B

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _21 November 2005_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _13-35_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _13-35_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some *   c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

This communication is in response to remarks filed on November 21, 2005. Claims 13-

35 remain pending.

Response to Arguments

Applicant's arguments filed as noted above have been fully considered but they are not

persuasive.

Applicant argues that the cited reference does not teach the use of a "delegate" as claimed

in the instant application (response p. 9). Applicant further contends that the remote device of

Biffar is involved in a transaction with the original customer only and is "silent as to the original

customer ability to create any restrictions on the use of the voucher by the remote device. Id.

A delegate is described in the disclosure as an assignee of tokens, i.e., a parent can assign

tokens to their children as delegates [0021]. Biffar discloses "[v]ouchers, according to the

invention, can be passed from remote device to remote device and therefore from an individual

to a business, from a business to an individual, from business to business, as well as from an

individual to an individual (column 4, lines 50-55)." "Technically, a voucher can be transferred

from a remote device to another remote device an infinite number of times without ever having

to transfer the voucher back to the central system (column 11, lines 37-40)." "In addition,

remote devices as well as the central system could, once connected, also authenticate each other

before continuing transactions. Whenever a remote device is connected to the central system or

whenever the remote device is connected to another remote device, the device identification

numbers are transmitted and checked against previously received and in memory stored

information and commands to possibly restrict further transactions. This could also be done by

using any of the common challenge-response methodologies (column 9, lines 52-61)."

Applicant further argues that that the cited reference fails to disclose a mechanism of

placing restrictions on the delegate token, wherein the delegate is restricted by "by at least one

parameter" as claimed (response p. 9). Biffar discloses that vouchers can be easily transferred

and restrictions placed by any assignor with parameters such as an expiration date, limitation on

number of movements, add other information and add data to a voucher at the time of the

transaction (column 11, lines 47-52; column 19, line 29-column 20, line 24).

In response to applicant's argument that the references fail to show certain features of

applicant's invention, it is noted that the features upon which applicant relies upon noted above

are not recited in the rejected claim(s). Although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims. See *In re Van

Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Accordingly, **THIS ACTION IS MADE FINAL.**

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

**Claims 13-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Biffar, U.S.

Patent 6,047,269.**

As per the following claim, Biffar discloses:

Claims 13 (24-28). An electronic commerce system (method, device) comprising:

     -a customer (figure 1B, remote device A 100),

-an issuer of at least one token (figure 1B, central system 200),

-a vendor which sells goods or services (figure 1B, remote device B 101; column 4, lines 50-55) and

-a delegate which can spend the at least one token with the vendor (figure 1B, remote device 101; column 2, lines 45-48) and wherein:

-the customer receives at least one token from the issuer, the at least one token being stored in a portable radio communication device of the customer (column 11, lines 4-20),

-the customer activates the at least one token for use in buying the goods or the services from the vendor (column 9, lines 48-50),

-the customer selects between spending the at least one token with the vendor to buy the goods or services (column 11, lines 21-34), or

-delegates the at least one token to the delegate via a radio communication device of the delegate such that the delegate can spend the at least one token with the vendor to buy the goods or services (column 11, lines 35-40).

14. A system according to claim 13 wherein: the vendor presents a spent token to the issuer who redeems the token for monetary value (column 13, line 49-62).

Claims 15 (16). A system according to claim 13(14) wherein: the at least one token provided by the issuer when the issuer has authenticated the identity of the customer is defined as at least one Pre Token represented as S(Rp, Auth, Ss) wherein S indicates an executable event in which Rp

represents the Recipient, Ss represents the Sender and Auth is indicative of the goods/service

(column 7, line 45-column 8, line 45; column 10, lines 25-38).

Claims 17 (18). A system according to claim 15 (16) wherein: the at least one PreToken is

placed in a group (column 14, lines 12-32).

Claims 19 (20). A system according to claim 17 (18) wherein: the at least one PreToken or the

group is assigned to provide a DelegatedToken given by, DelegatedToken =

S(PreToken/GroupToken, Dp, Cs), wherein S indicates an executable event in which the at least

one PreToken or the group is transferred from the Customer (Cs) to the Delegate (Dp) (column

11, lines 35-column 12, line 38; column 13, line 49-column 14, line 32)

Claims 21 (22). A system according to claim 19 (20) wherein: the at least one PreToken, the

group or the at least one Delegated Token is spent with the vendor to provide a SpentToken or a

SpentDelegatedToken given by, SpentToken = S(PreToken/thegroup, Mp, Cs), wherein S

indicates an executable event in which a PreToken or the group is spent by the customer (Cs)

with the vendor (Mp), and SpentDelegatedToken = S(DelegatedToken, Mp, Ds), wherein S

indicates an executable event in with the at least one DelegatedToken is spent by the delegate

(Ds) with the vendor (Mp) (column 3, lines 56-65; column 16, lines 59-67).

23. A system according to claim 21 wherein: the vendor redeems the SpentToken or

SpentDelegatedToken with the issuer to result in a RedeemedToken given by, RedeemedToken

= S(SpentToken/SpentDelegatedToken, Ms), wherein S indicates an executable event in which a

SpentToken or SpentDelegatedToken is redeemed by the vendor (Ms) (figure 6, redemption

6000; column 19, lines 38-43).

Claims 29 (30-34). An electronic token used in the system of claim 13 (24, 25, 26, 27, 28),

wherein the electronic token includes at least one parameter specifying a use thereof (column 11,

lines 48-52).

35. An electronic commerce system comprising:

      -a first user terminal device associated with a first user (figure 1B, 100 remote device A;

      -a second user terminal device associated with a second user (figure 1B, 101 remote

device B);

      -an account processor means associated with an issuer of electronic tokens (figure 1B,

central system 200),

      -transaction means associated with a vendor of obtainable goods or services(column 6,

lines 57-64);

      -the first user terminal device having means for communicating with the account

processor means so as to obtain electronic tokens from the account processor means (figure 1B,

300 network for signal transport);

      -means for storing the electronic tokens (column 7, lines 62-64; figure 4, remote device A

memory 130);

-means for activating the electronic tokens for defining the obtainable goods or services

from the vendor (column 8, lines 6-13),

-means for communicating with the second user terminal device so as to transfer the

activatable electronic tokens to said second user terminal device (column 10, lines 39-56);

-the second user terminal device including means for receiving the electronic tokens from

the first user terminal device (column 11, lines 21-34), and

-means for communicating with the transaction means so as to obtain the obtainable

goods or services from the vendor in exchange for the electronic tokens (column 11, line 53-

column 12, line 39).

Although the Examiner has pointed out particular references contained in the prior art(s) of

record in the body of this action, the specified citations are merely representative of the

teachings in the art as applied to the specific limitations within the individual claim. Since

other passages and figures may apply to the claimed invention as well, it is respectfully

requested that the applicant, in preparing the response, to consider fully the entire references

as potentially teaching all or part of the claimed invention, as well as the context of the

passage as taught by the prior arts or disclosed by the examiner.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure:

-US Patent 6,205,435 B1 to Biffar.

-US Patent 6,515,988 B1 to Eldridge et al.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley B. Bayat whose telephone number is 571-272-6704. The examiner can normally be reached on Tuesday - Friday 8 a.m.-6:30 p.m. and by email: bradley.bayat@uspto.gov.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached regarding urgent matters at 571-272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(571) 273-8300 - Official communications; including After Final responses.

(571) 273-6704 - Informal/Draft communications to the examiner.

bbb
January 31, 2006

PRIMARY EXAMINER